United States District Court Central District of California

UNITED STA	ATES OF AMERICA vs. Docket No. <u>SACR 11-146-AG</u>							
Defendant akas:	SAMY IBRAHIM ALI Social Security No							
JUDGMENT AND PROBATION/COMMITMENT ORDER								
In th	the presence of the attorney for the government, the defendant appeared in person on this date. MONTH DAY YEAR 05 28 2013							
COUNSEL	Richard Steingard, Ahilan Arulanantham, Michael Kaufman, Retained							
	(Name of Counsel)							
PLEA	X GUILTY, and the court being satisfied that there is a factual basis for the plea. NOLO CONTENDERE NOT GUILTY							
FINDING	There being a finding/verdict of GUILTY , defendant has been convicted as charged of the offense(s) of: Attempted Procurement and Procurement of Citizenship Illegally in violation of 18 USC § 1425 as charged in Counts 1 and 2 of the Second Superseding Indictment							
JUDGMENT AND PROB/ COMM ORDER	The Court asked whether there was any reason why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the Court, the Court adjudged the defendant guilty as charged and convicted and ordered that:							

It is so ordered that the defendant shall pay to the United States a special assessment of \$200, which is due immediately. It is ordered that defendant shall pay restitution in the total amount of \$442,206.46, under 18 U.S.C. § 3663A. The amount of restitution ordered shall be paid to victims as set forth in a separate victim list prepared by the probation office which this Court adopts and which reflects the Court's determination of the amount of restitution due to each victim. The victim list, which shall be forwarded to the fiscal section of the clerk's office shall remain confidential to protect the privacy interests of the victims.

If the defendant makes a partial payment, each payee shall receive approximately proportional payment. Nominal monthly payments of at least \$200, or 10 percent of the defendant's monthly gross income, whichever is greater, shall be made during the period of supervised release. These payments shall begin 30 days after the commencement of supervision. Nominal restitution payments are ordered as the court finds that the defendant's economic circumstances do not allow for either immediate or future payment of the amount ordered.

Under 18 U.S.C. § 3612(f)(3)(A), interest on the restitution ordered is waived because the defendant does not have the ability to pay interest. Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C.§ 3612(g). Pursuant to Section 5E1.2(e) of the Guidelines, all fines are waived, as it is found that defendant does not have the ability to pay a fine.

Under the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant, SAMY IBRAHIM ALI is hereby sentenced to a term of imprisonment of time-served.

The defendant shall be placed on supervised release for a term of three years under the following terms and conditions:

1. The defendant shall comply with the rules and regulations of the U.S. Probation Office and General Order 05-02, and

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General Order 01-05, including the three special conditions delineated in General Order 01-05;

- 2. The defendant shall not commit any violation of local, state or federal law or ordinance;
- 3. During the period of community supervision, the defendant shall pay the special assessment in accordance with this judgment's orders pertaining to such payment;
- 4. The defendant shall apply all monies received from income tax refunds, lottery winnings, inheritance, judgments and any anticipated or unexpected financial gains to the outstanding court-ordered financial obligation;
- 5. The defendant shall cooperate in the collection of a DNA sample from the defendant;
- 6. The defendant shall not obtain or possess any driver's license, Social Security number, birth certificate, passport or any other form of identification in any name, other than the defendant's true legal name; nor shall the defendant use, for any purpose or in any manner, any name other than his true legal name or names without the prior written approval of the Probation Officer; and
- 7. The defendant shall comply with the immigration rules and regulations of the United States, and when deported from this country, not reenter the United States illegally. The defendant is not required to report to the Probation Office while residing outside of the United States; however, within 72 hours of release from any custody or any reentry to the United States during the period of Court ordered supervision, the defendant shall report for instructions to the United States Probation Office, located at: Ronald Reagan Federal Building and United States Courthouse, 411 West Fourth Street, 4th Floor, Santa Ana, California 92701.

As defendant has been convicted under 18 U.S.C. § 1425 of knowingly procuring naturalization unlawfully, under 8 U.S.C. §1451(e), the Court hereby revokes, sets aside, and declares void the final order admitting defendant to citizenship, and declares the certificate of naturalization of defendant to be canceled. The clerk shall transmit a certified copy of the order and judgment to the Attorney General. To the extent that defendant has not already done so, defendant shall surrender his naturalization certificate, or any copies thereof, to the Attorney General.

In addition to the special conditions of supervision imposed above, it is hereby ordered that the Standard Conditions of Probation and Supervised Release within this judgment be imposed. The Court may change the conditions of supervision, reduce or extend the period of supervision, and at any time during the supervision period or within the maximum period permitted by law, may issue a warrant and revoke supervision for a violation occurring during the supervision period.

May 28, 2013	Cumby Re
Date	U. S. District Judge Andrew J. Guilford

It is ordered that the Clerk deliver a copy of this Judgment and Probation/Commitment Order to the U.S. Marshal or other qualified officer.

Clerk, U.S. District Court

May 28, 2013	Ву	L. Bredahl
Filed Date	•	Deputy Clerk

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The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

STANDARD CONDITIONS OF PROBATION AND SUPERVISED RELEASE

While the defendant is on probation or supervised release pursuant to this judgment:

- 1. The defendant shall not commit another Federal, state or local crime;
- 2. the defendant shall not leave the judicial district without the written permission of the court or probation officer;
- 3. the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- the defendant shall support his or her dependents and meet other family responsibilities;
- the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7. the defendant shall notify the probation officer at least 10 days prior to any change in residence or employment;
- 8. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered;

- 10. the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12. the defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer;
- 13. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to conform the defendant's compliance with such notification requirement;
- 15. the defendant shall, upon release from any period of custody, report to the probation officer within 72 hours;
- and, for felony cases only: not possess a firearm, destructive device, or any other dangerous weapon.

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The defendant will also comply with the following special conditions pursuant to General Order 01-05 (set forth below).

STATUTORY PROVISIONS PERTAINING TO PAYMENT AND COLLECTION OF FINANCIAL SANCTIONS

The defendant shall pay interest on a fine or restitution of more than \$2,500, unless the court waives interest or unless the fine or restitution is paid in full before the fifteenth (15th) day after the date of the judgment pursuant to 18 U.S.C. §3612(f)(1). Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g). Interest and penalties pertaining to restitution, however, are not applicable for offenses completed prior to April 24, 1996.

If all or any portion of a fine or restitution ordered remains unpaid after the termination of supervision, the defendant shall pay the balance as directed by the United States Attorney's Office. 18 U.S.C. §3613.

The defendant shall notify the United States Attorney within thirty (30) days of any change in the defendant's mailing address or residence until all fines, restitution, costs, and special assessments are paid in full. 18 U.S.C. §3612(b)(1)(F).

The defendant shall notify the Court through the Probation Office, and notify the United States Attorney of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay a fine or restitution, as required by 18 U.S.C. §3664(k). The Court may also accept such notification from the government or the victim, and may, on its own motion or that of a party or the victim, adjust the manner of payment of a fine or restitution-pursuant to 18 U.S.C. §3664(k). See also 18 U.S.C. §3572(d)(3) and for probation 18 U.S.C. §3563(a)(7).

Payments shall be applied in the following order:

- 1. Special assessments pursuant to 18 U.S.C. §3013;
- 2. Restitution, in this sequence:

Private victims (individual and corporate), Providers of compensation to private victims, The United States as victim;

- 3. Fine:
- 4. Community restitution, pursuant to 18 U.S.C. §3663(c); and
- 5. Other penalties and costs.

SPECIAL CONDITIONS FOR PROBATION AND SUPERVISED RELEASE

As directed by the Probation Officer, the defendant shall provide to the Probation Officer: (1) a signed release authorizing credit report inquiries; (2) federal and state income tax returns or a signed release authorizing their disclosure; and (3) an accurate financial statement, with supporting documentation as to all assets, income and expenses of the defendant. In addition, the defendant shall not apply for any loan or open any line of credit without prior approval of the Probation Officer.

The defendant shall maintain one personal checking account. All of defendant's income, "monetary gains," or other pecuniary proceeds shall be deposited into this account, which shall be used for payment of all personal expenses. Records of all other bank accounts, including any business accounts, shall be disclosed to the Probation Officer upon request.

The defendant shall not transfer, sell, give away, or otherwise convey any asset with a fair market value in excess of \$500 without approval of the Probation Officer until all financial obligations imposed by the Court have been satisfied in full.

These conditions are in addition to any other conditions imposed by this judgment.

RETURN

I have executed the within Judgment and Commitment as follows:

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Defendant delivered on		to				
Defendant noted on appeal on						
Defendant released on						
Mandate issued on						
Defendant's appeal determined on						
Defendant delivered on		to				
at	67D.1 1.4 .16".1	6.1 1.11	X 1			
the institution designated by the Burea	in of Prisons, with a certified cop	y of the within	Judgment and Commitment.			
	United Sta	ites Marshal				
	Ву					
Date	Deputy M	arshal				
	CERTIFICA	TE				
I hereby attest and certify this date that the legal custody.	foregoing document is a full, tru	e and correct c	opy of the original on file in my office, and in my			
Clerk, U.S. District Court						
	Ву					
Filed Date	Deputy Cl	erk				
	FOR U.S. PROBATION OF	FICE USE O	NLY			
	1 011 01001111011 01	1102 002 0				
Upon a finding of violation of probation or s supervision, and/or (3) modify the conditions		hat the court m	ay (1) revoke supervision, (2) extend the term of			
These conditions have been read to	me. I fully understand the condi	tions and have	been provided a copy of them.			
(6)						
(Signed) Defendant		Date				
U. S. Probation Officer/De	esignated Witness	Date				